

EXHIBIT E



Press Availability With German Chancellor Angela Merkel

Secretary Condoleezza Rice

Berlin, Germany

December 6, 2005

CHANCELLOR MERKEL: (*Via interpreter*) Ladies and gentlemen, it gives me great pleasure to be able to welcome here to the Federal Chancellor's Office the U.S. Secretary of State Condoleezza Rice. This is a continuation of the dialogue between both our countries that we started in Washington and that we've continued over the course of this year -- earlier this year -- during the visit of the American President to Mainz. It gives me great pleasure today, Secretary, to be able to welcome you in my new capacity as Federal Chancellor, because when we met during the visit of the President on earlier occasions, we meet with me still being the leader of the opposition.



In our meeting today we agreed on the close partnership and the cooperation between the United States of America and the Federal Republic of Germany as close partners and friends. And in a very comprehensive sense indeed we intend to cooperate and to continue our cooperation; that is to say, to cover all areas, the political issues, of the field of economical - economic cooperation.

I also used the opportunity to explain that my government has a very clear objective -- is guided by clear principles in the field of foreign policy. The German foreign policy is a policy that serves the interests of the German people and, in so doing, it basically serves on two pillars, one of which is a European unity and the other is a close transatlantic partnership. Those are interdependent; those go together. Those are very important pillars for us. I tried to highlight that in the meeting today.

Our partnership is based on common values, on our belief in democracy and democratic principles and values, that is. Indeed we believe that to be a very high good, a good that has to be defended against all the threats that may come up. And we're also fully aware of the fact that these threats are changing and that in the 21st century, too, these threats come up against which we have to defend ourselves.

We have to fight the challenges of the 21st century. We have to face up to them and we have to face up to quite demanding challenges indeed in many areas and we have to do so convincingly. And we have been so doing always to try to strike a certain balance. While trying to defend ourselves against the threats that endanger our values and the freedom on which our societies are based, we at the same time have to see to it that we seek the right means, means proportionate that allow us to stay in line with the legal system and the laws in which we believe.

In this particular context we also touched upon an issue that is very much in the public eye these days, a subject of public debate, and that is the issue of the alleged CIA -- the issue of the CIA's overflights, which brings me to the following point. I've talked about the direction and the principles which guide our foreign policy. When we talk about this, we always have to bear in mind how we can then actually implement our foreign policy so as to achieve the desired results. We have to, on the one hand, adhere to the rules of democracy, the democratic principles and rules to which we've expressed our commitment; but at the same time, we have to see that our intelligence services can actually do the job that they've been created to do, which is to say we need intelligence services in order to be able to face up to the threats to our society in this century of ours.



It's very important that whilst we adhere to the rules and the international obligations, to laws that govern us and the international obligations to which we've committed ourselves, it can also mean that in specific cases, like in the case of this gentleman -- we've talked about Mr. Masri -- and I've made that very clear because I went public and said I think it's desirable for the Foreign Minister, Mr. Steinmeier, to go and to report to the parliament and to do so in a respected parliamentary body, which is the parliamentary control body. We believe that to be -- I believe that to be the right place for

such a discussion. We want to make it clear, on the one hand, that we can't go public about all the details, but at the same time we need to introduce a certain degree of transparency. If such a case like the case of Mr. Masri were to be repeated, then again we would take the matter to this particular body in the parliament, the parliamentary control body. I think that is the responsible body in Germany for such a debate.

We had an opportunity to talk about a number of other issues, too. We touched upon the situation and the role that NATO has to play. We talked about relations with Russia. We talked about the conflict in Iran and the state of discussions there. We talked about the situation in Iraq. And we also talked about our common commitment in Afghanistan. In a nutshell, we covered the complete spectrum of foreign policy. We did a complete *tour d' horizon*. And it will indeed give a great pleasure and I'm looking forward to the upcoming visit that I will take to the United States of America and the opportunity I will then have to speak to the American President. Indeed our meeting today, Secretary of State, I believe was a very good start for an intensified relationship between both our countries.

SECRETARY RICE: Thank you, Chancellor Merkel. First of all, it's a delight to be back in Berlin. This great city that is in and of itself something of a miracle given that just a couple of decades ago, or not even that long ago, this city was divided and was a symbol of East-West conflict. It's great to be here to see its beauty and to enjoy the holiday preparations that are being made here in Berlin.

It is a pleasure to meet with Chancellor Merkel and I congratulate you on your election victory. We had a very extensive discussion -- following our discussions that I've had with Foreign Minister Steinmeier and I also look forward, as I know the President does, to your visit to Washington in January to continue to strengthen the foundations of the U.S.-German relationship, of the relationship that -- a transatlantic relationship which has much work to do in the efforts to support and bring democracy to areas that have not yet experienced the blessings of liberty.

As the Chancellor's mentioned we did talk about a wide range of issues: Afghanistan, Iraq, the potential for progress in the Middle East between Israel and the Palestinians. We talked about the challenges in the European neighborhood, continuing the progress of democracy in Russia and hoping for progress in places like Belarus where Europe's last dictator still resides.

I mentioned also to the Chancellor that I will soon go to Ukraine and of course this is a country that is also making a very important transition and we look forward to intensifying our cooperation there. The European Union has been very involved in the development of a plan for action with Ukraine as has the United States and this is an area that really does bear our attention. The people who launched the Orange Revolution now need to deliver on that revolution and we look forward to cooperation with Germany on this very important task.

Let me say also that I could not agree more with the Chancellor that the challenges that we face in the new war, the war on terrorism, are indeed challenges that challenge us to make certain that we are doing all that we can to protect our populations from the threats of those who would wantonly kill innocents. But we must do this within the context of laws and our international obligation.

As such, we had a discussion of the issues that have been in the press concerning detainees. I reiterated for the Chancellor what I said yesterday is that first of all, the United States does not condone torture. It is against U.S. law to be involved in torture or conspiracy to commit torture. And it is also against U.S. international obligations and the President has made it very clear that U.S. personnel will operate within U.S. law and within our international obligations.

I also reiterated that our cooperation with our partners around the world, our intelligence cooperation, is extremely important to protecting the citizens of the United States but also the citizens of our partners. And we do have to have intelligence organizations that can cooperate, that can be effective, that can bring to bear intelligence on the terrorism problem because without good intelligence, you can simply not protect innocent civilians from the kinds of attacks that we have experienced across the globe.

I reiterated, finally, that we respect the sovereignty of our partners. We are going to be best at fighting the war on terrorism and protecting our citizens if we cooperate. And we have been cooperating. I just want to note that it is completely -- completely important and indeed proper in democracies that when issues come up that they are debated. It is also proper that friends be able to talk about issues of concern. It is also important, though, that any debate have a healthy respect for the challenge that we face when we face an enemy that operates from within our societies and that is intent -- intent, not by collateral damage, but intent on killing innocent civilians as they have done in New York and in Washington and in London and in Madrid and in Casablanca and in Amman and all over the world. We have an obligation to defend our people and we will use every lawful means to do so.

Thank you, Chancellor, for your warm reception.

QUESTION: Madame Chancellor. (Inaudible). Have you been satisfied with the information and the explanations given to you by the American Secretary of State on the CIA flights and the kidnapping of a German national?

CHANCELLOR MERKEL: (*Via Interpreter*) First, I was very grateful and I am very grateful for the American Secretary of State, that she has reiterated that America stands by its international commitments, that it stands by its rejection of torture and that it adheres to the laws of the United States of America.

In the meeting we had, I myself made it quite clear that I, as the Chancellor of the Federal Republic of Germany, work under and adhere to German laws and to the international commitments my country has entered into. And I believe that that is a good basis on which we build. I can build it on which we can attend to those commitments that we have made as members of the same alliance. And if doubts, if questions come up, we know full well that our partners, too, work on the basis of the laws applying in their countries and in line with their international commitments.

Now as far as to the German hostage, that is an issue we, too, talked about. And I asked the Secretary of State for the help of the American services to the extent that that help can be provided and ultimately made it clear that we will be very grateful, indeed, if any kind of assistance could be made available here.

SECRETARY RICE: Thank you. And on the hostage, I said to Chancellor Merkel that we will do everything that we can through our people in Iraq and through our intelligence services to try and help resolve that issue, hopefully, in a favorable way.

As to the case of Mr. Al-Masri, I am not going to comment on any specific case. There are reports to -- newspaper reports and, of course, I believe this is going to be a matter for litigation, so it's properly handled in that channel. I did say to the Chancellor that when and if mistakes are made, we work very hard and as quickly as possible to rectify them. Any policy will sometimes have mistakes and it is our promise to our partners that should that be the case, that we will do everything that we can to rectify those mistakes. I believe that this will be handled in the proper courts here in Germany and if necessary in American courts as well.

QUESTION: Yes, Madame Secretary, I know you just said you don't want to comment on any specific case, but in the Al-Masri matter, is it ever appropriate for the U.S. to ask another sovereign government not to release information regarding one of its own citizens? And of course, he ended up going public himself, but like sort of an explanation of how that decision was made? And to Chancellor Merkel, do you think that the German people will be satisfied with Secretary Rice's explanation yesterday of U.S. policies and how do you think that maybe a year from now the German people will view this whole matter?

SECRETARY RICE: Concerning your first question, the Chancellor has said how she intends to deal with this matter here in Germany in a proper committee of the Bundestag and we respect that decision. We very often, when intelligence matters are involved, we, of course, respect the fact that intelligence matters need to be -- that intelligence needs to be treated sensitively, because in order for intelligence agencies to operate we cannot publicize everything that they do. It should be no surprise to anyone that intelligence agencies gather intelligence and that that is a process and an activity that is largely out of public view. But we're completely supportive of how the Chancellor intends to handle this case.

CHANCELLOR MERKEL: I think that the statement, the information that the American Secretary of State provided yesterday, the statement that she made to the press before she left for Germany yesterday and the information she provided me with here today, is good information, valuable information for the German people. Now, you can imagine it's a teeny bit difficult for me at this point in time to gage what the position would be like in a year from now, what point of view the German public will then take.

On the one hand, we are under certain obligations as members of the same alliance. We have obligations and commitments that we have to fulfill. And on the other hand, we are obliged and have certain obligations to our own laws and international commitments. I do believe that we can do both; we can attend to the one and the other at the same time. And if questions or if problems occur, then of course we have to talk about them, but I intend to do so in an open and a friendly and in a way that is based on partnership.

QUESTION: Thank you. Nicholas Kravlev of *The Washington Times*. Madame Chancellor, you now have heard what the Secretary had to say about the issue today. I assume you read her statement yesterday. Do you -- first of all, do you agree with the American definition of torture? Second, do you think that the renditions are an effective tool in the war on terrorism, as the Secretary said yesterday? And under your government, are these German intelligence services going to cooperate fully with the United States in the next two or four years of your -- four years of your administration? Sorry to make both -- (laughter). Please erase from the record. (Laughter.)

And Madame Secretary, you talked yesterday about the responsibility of every government to protect its citizens and you implied that perhaps other countries and other governments know enough about what you are doing in those countries and on their territories. Do you think that there has been a lot of pointing to Washington in Europe or do you think that the governments here should actually offer some of the answers to those questions that have arisen in the past few weeks?

CHANCELLOR MERKEL: Yes, indeed, I believe it's not only a question of the American laws, it's also a question of -- we're talking about a country that has signed the International Convention Against Torture. So that is indeed a very important point and therefore the statement by the American Secretary of State has been a very important one.

As far as that goes, I think this is a basis (inaudible) based on the legal system in the respective country, the laws and the international commitment of the respective country. I do believe that there is room and it is good to have full cooperation of the intelligence services and that they should indeed cooperate.

We are talking about two countries that are committed to the same values, that share the same international commitment. And I think these countries should make use of the scarce resources available, the best use possible, in the difficult fight that they (inaudible) against a common threat (inaudible) of the 21st century. And therefore, I think cooperation of the intelligence services is indeed feasible. It's something that ought to be done, all based though on the basis of the respective countries -- the countries involved adhering to the laws and the commitments it has entered into.

SECRETARY RICE: And I would simply underscore that we are countries of laws. That's why we -- one of the reasons that our alliance has worked so well is that we do share values and we do share a belief in the rule of law. We will live up, in the United States, to our commitments under our laws and to our international obligations. We will, in that framework, do everything that we can do lawfully to protect our people. We will do everything that we can to cooperate with likeminded intelligence services because we need to remember that this is essentially a war in which intelligence is absolutely key to success. If you are going to uncover plots, if you are going to get to people before they commit their crimes, that is largely an intelligence function.

And if you don't get to them before they commit their crimes, unlike in the traditional law enforcement area, they will have committed mass murder against innocent people whom, by the way, they target. They target innocent people. That was a wedding party in Amman. Those were schoolchildren in Beslan. This was a subway in Madrid and a subway in -- a transportation system with people going to work in London. They weren't targeting "enemy soldiers." They were targeting innocent civilians.

When you face that kind of threat, you have an obligation to do everything that you can to protect people, and that means getting to the perpetrators of such crimes before they can commit them. That's why I am so grateful to our partners for that all that we have done. I think we have saved American lives and we have saved European lives and we have saved lives in other parts of the world, too.

And I look forward to our continued cooperation with German intelligence and German law enforcement, and of course at the political level. Because ultimately, as the Chancellor and I discussed today, while we want to stop every terrorist attack that we can, we also have to deal with the fundamental circumstances that are producing terrorism. And that's why the work that is being done in the Broader Middle East Initiative or in the Barcelona process, why the work that we are doing to find a just and peaceful solution to the Palestinian-Israeli conflict and why the work that we are doing together to strengthen the new democracies in places like Afghanistan and Iraq is so central to the war on terrorism.

CHANCELLOR MERKEL: One last question, possibly -- if possible, please don't make it three questions to each and every one of us. (Laughter.)

QUESTION: Madame Chancellor -- what -- sorry, I apologize State Department Secretary to understand.

What does the federal government -- I'm not referring to any particular case now, any case in discussion these days. But what in general is the position or the views of federal government on the practice of rendition, the transfer -- rather, the capture of German nationals then to be transferred to a third country for interrogation? And is that something that you talked about with the Secretary of State today?

And a question to the Secretary of State. Are you in a position to say that that practice has never been used against a German national and will never be used against a German national?

CHANCELLOR MERKEL: Actually, the two parts of your question seem to be mutually exclusive and I've very relieved and pleased that I'm able to say that we actually talked about that one particular case and that the American Government, the American Administration, has admitted that this man had been erroneously taken and that as such the American

Administration is not denying that it has taken place.


I am also very pleased to note that the American Secretary of State has said that such a mistake, if it occurred, has to be rectified. And as for the rest of its activities, the American Government has made it very clear that they act on the basis of American laws and American international commitments.

As for the rest, we have not talked about any other cases.

SECRETARY RICE: And we act within our obligations internationally, within our own U.S. laws, and that is what I have reiterated to the Chancellor. Obviously, I'm not going to get into specifics of what we have or have not done in particular intelligence operations because intelligence operations can be easily compromised. What I did say is that while I could not talk about the specifics of the Al-Masri case, that we recognize that the Chancellor will be reviewing this in a committee of the Bundestag. We also recognize that any policy will sometimes result in errors, and when it happens we will do everything we can to rectify it.

2005/T20-2

Released on December 6, 2005

 [BACK TO TOP](#)